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PTO/SB/05 (03-01)

Approved for use through 10/31/2002. OMB 0651-0032

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**UTILITY
PATENT APPLICATION
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.

9196-022-999

Total Pages

First Named Inventor or Application Identifier

Dasseux et al.

Express Mail Label No.

EL 452 482 627 US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO: Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

1. ☒ Fee Transmittal Form
Submit an original, and a duplicate for fee processing)
2. ☒ Applicant claims Small Entity status, see 37 C.F.R. § 1.27
3. ☒ Specification [Total Pages 163]
(preferred arrangement set forth below)
 - Descriptive title of the Invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R&D
 - Reference to Microfiche Appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings *(if filed)*
 - Detailed Description of the Invention *(including drawings, if filed)*
 - Claim(s)
 - Abstract of the Disclosure
4. ☒ Drawing(s) *(35 USC 113)* [Total Sheets 21]
5. ☒ Oath or Declaration [Total Sides 2]
 - a. ☐ Newly executed (original or copy)
 - b. ☒ Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 19 completed)

☐ **DELETION OF INVENTORS(S)**

Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33 (b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. ☒ Nucleotide and/or Amino Acid Sequence Submission
(if applicable, all necessary)
 - a. ☒ Computer Readable Copy
 - b. ☒ Paper Copy (identical to computer copy)
 - c. ☒ Statement verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (copy from parent)
10. ☐ 37 CFR 3.73(b) Statement ☐ Power of Attorney
(when there is an assignee)
11. ☐ English Translation Document *(if applicable)*
12. ☒ Information Disclosure Statement ☐ Copies of IDS
(IDS)/PTO-1449 Citations
13. ☒ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. ☐ Nonpublication Request under 35 U.S.C. 122 (b)(2)(i).
Applicant must attach form PTO/SB/35 or it's equivalent
17. ☐ Other:

18. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information:

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No: 09/453,834 filed December 1, 1999.

19. CORRESPONDENCE ADDRESS

Customer Number:



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or ☐ Correspondence address below

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STATE

ZIP CODE

COUNTRY

TELEPHONE

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Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

Express Mail No.: EL 452 482 627 US**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Prior application: Examiner Celsa, B

Art Unit 1627

Assistant Commissioner for Patents
Box PATENT APPLICATION
Washington, D.C. 20231

Sir:

This is a request for filing a ☒ continuation ☐ divisional application under 37 CFR § 1.53(b), of pending prior application no. 09/453,834 filed on December 1, 1999.

of Dasseux, et al.
(inventor(s) currently of record in prior application)

for APOLIPOPROTEIN A-I AGONISTS AND THEIR USE TO TREAT DYSLIPIDEMIC DISORDERS
(title of invention)

1. ☒ The filing fee is calculated below:

PATENT APPLICATION FEE VALUE


TYPE	NO. FILED	LESS	EXTRA	EXTRA RATE	FEE
Total Claims	15	-20	0	\$18.00 each	\$ 0.00
Independent	3	-3	0	\$84.00 each	\$ 0.00
Basic Fee					\$ 740.00
Multiple Dependency Fee If Applicable (\$280.00)					\$ 0.00
Total					\$ 740.00
50% Reduction for Independent Inventor, Nonprofit Organization or Small Business Concern					- \$ 370.00
Total Filing Fee					\$ 370.00

2. ☒ Please charge the required fee to Pennie & Edmonds LLP Deposit Account No. 16-1150. A copy of this sheet is enclosed.
3. ☒ Amend the specification by inserting before the first line the following sentence: This is a continuation of application no. 09/453,834, filed December 1, 1999, the contents of which is hereby incorporated by reference.

- 4a. ☒ New formal drawings are enclosed.
- 4b. ☐ Informal drawings are enclosed.
- 5a. ☒ Priority of application no. 09/453,834 filed on December, 1, 1999 in United States is claimed under 35 U.S.C. §120.
- 5b. ☐ The certified copy has been filed in prior application no. , filed .
6. ☐ The prior application is assigned of record to .
- 7a. ☒ A copy of the Power of Attorney filed in the prior application no. 09/453,834, filed December 1, 1999 is enclosed.
- 7b. ☐ A Power of Attorney is enclosed.
8. ☒ This application contains nucleic acid and/or amino acid sequences required to be disclosed in a Sequence Listing under 37 CFR §§1.821-1.825. It is requested that the Sequence Listing in computer readable form from prior application no.09/453,834, filed on December 1, 1999 be made a part of the present application as provided for by 37 C.F.R. §1.821(e). The sequences disclosed therein are the same as the sequences disclosed in this application. A copy of the paper Sequence Listing from application no. 09/453,834 is enclosed.
9. ☒ The undersigned states, under 37 C.F.R. §1.821(f), that the content of the enclosed paper Sequence Listing from application no. 09/453,834 is the same as the content of the computer readable form submitted in application no. 09/453,834.
10. ☐ DO NOT PUBLISH. I hereby certify that the invention disclosed in the attached application has not and will not be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).
11. ☒ Additional enclosures or instructions. Please enter the Preliminary Amendment canceling claims 2, 19, 28, 30-33, 36, 38-41, 43 and 45-53 prior to calculating the fee.

Respectfully submitted,

Date March 15, 2002


 42,983
 Rahul Pathak (Reg. No.)
 PENNIE & EDMONDS LLP
 3300 Hillview Avenue
 Palo Alto, CA. 94304

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Dasseux et al.

Serial No.: To be assigned

Group Art Unit: To be assigned

Filed: Herewith

Examiner: To be assigned

For: APOLIPOPROTEIN A-I
AGONISTS AND THEIR USE TO
TREAT DYSLIPIDEMIC
DISORDERS

Attorney Docket No.: 9196-022-999

VERIFIED STATEMENT UNDER 37 C.F.R. § 1.821(f)

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

I, KENNEDY KOBLIN, do declare and state as follows:

1. I prepared a Sequence Listing in paper and computer readable forms in accordance with 37 C.F.R. §§ 1.821 - 1.825 in connection with the above-captioned patent application, both of which are being submitted herewith.
2. I hereby state that, to the best of my knowledge, the contents of the paper and computer readable copies of the Sequence Listing are the same; and this submission includes no new matter.
3. I declare further that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signed

March 15, 2002
Date


Kennedy Koblin

Express Mail No.: EL 452 482 627 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Dasseux *et al.*

Serial No.: to be assigned

Group Art Unit: to be assigned

Filed: Herewith

Examiner: to be assigned

For: APOLIPOPROTEIN A-I AGONIST AND THEIR USE TO TREAT
DYSLIPIDEMIC DISORDERS Attorney Docket No.: 9196-022 999

SUBMISSION OF FORMAL DRAWINGS

Assistant Commissioner for Patents
Washington, D.C. 20231

Attn: Official Draftsperson


Sir:

In connection with the above-identified application, Applicants submit herewith twenty-one (21) sheets of formal drawings comprising of Figures 1A, 1B, 1C, 2A, 2B, 2C, 3A, 3B, 4A, 4B, 5A, 5B, 6A, 6B, 7A, 7B, 7C, 7D, 8A, 8B, 8C, 9A, 9B, 9C, 9D, 9E, 9F, 10, 11A and 11B. Please replace the originally filed drawings with the formal drawings enclosed herewith.

If any fees associated with the submission of the formal drawings are due, authorization is hereby granted to charge such fees to Pennie & Edmonds LLP Deposit Account Number 16-1150. A copy of this sheet is enclosed.

Respectfully submitted,

Dated: March 15, 2002


Rahul Pathak 42,983
for (Reg. No.)
Laura A. Coruzzi 30,742
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1155 Avenue of the Americas
New York, New York 10036-2711
(212) 790-9090

Enclosures